

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

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AMELIA SANTOS,

Plaintiff,
- against -

Civil Action No.:

NOTICE OF REMOVAL

CHRISTOPHER J. FALET, NESTLE WATERS NORTH AMERICA, INC., JOHN DOE 1-5 and ABC CORP. 1-5 (a person, persons, entity or entities, whose identity is presently unknown),

Defendants.

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TO: MARK MCBRATNEY, ESQ.
SEIGEL LAW, LLC
Attorneys for Plaintiff
505 Goffle Road
Ridgewood, New Jersey 07450
(201) 444-4000

PLEASE TAKE NOTICE that pursuant to 28 U.S.C., Section 1441, defendants, CHRISTOPHER J. FALET and NESTLE WATERS NORTH AMERICA, INC., (hereinafter the "Removing Defendants"), hereby removes this action from the Superior Court of New Jersey, Middlesex County, to the United States District Court for the District of New Jersey. The Removing Defendants appear solely for the purpose of removal and for no other purpose, reserving all other defenses available to them, and allege as follows:

1. The defendant, NESTLE WATERS NORTH AMERICA, INC., is an authorized foreign corporation with its principal place of business at 900 Long Ridge Road, Bldg. #2, Stamford, CT 06902 *See: Exhibit "A".* The defendant, CHRISTOPHER J. FALET, resides at 170 Vermilyea Avenue, New York, NY 10034.

2. The plaintiff, AMELIA SANTOS, resides at 28 East 9th Street, 2nd Floor, Clifton,

State of New Jersey.

3. "JOHN DOE 1-5" and "ABC CORP. 1-5" are fictitious entities. See 28 U.S.C. Section 1441(b)(1).

4. This notice of removal is being filed within thirty (30) days after receipt by the Removing Defendants of Plaintiff's Statement of Damages Claimed, a copy of which is annexed hereto as **Exhibit "B"**.

5. Based upon same, this Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446(b)(3). *See Exhibit "B".*

6. Annexed hereto as **Exhibit "C"** in compliance with 28 U.S.C., § 1446(a), is a copy of the Summons and Complaint. A copy of Removing Defendants' Answer to Complaint with Cross-Claims and Civil Case Information Sheet is annexed hereto as **Exhibit "D"**.

7. As set forth for the first time by plaintiff in her Statement of Damages Claimed, plaintiff seeks to recover a total of One Million (\$1,000,000.00) Dollars for personal injuries which allegedly occurred on or about the 13th day of April, 2015, when plaintiff's vehicle collided with a vehicle owned and operated by the Removing Defendants.

8. Jurisdiction in the United States District Court is founded upon 28 U.S.C. Section 1332(a) as there exists diversity of citizenship between the parties and the sum sought by the plaintiff exceeds exceed \$75,000.00.

9. Removing Defendants will promptly file a copy of this Notice of Removal in the Superior Court of New Jersey, Middlesex County, and will serve a copy of the same on the plaintiff in accordance with 28 U.S.C., Section 1446(3).

WHEREFORE, Removing Defendants give notice that the above-captioned action

commenced against it in the Superior Court of New Jersey, Middlesex County has been removed to this Court.

Dated: New York, New York
April 5, 2017



Bella I. PEVZNER (039972004)
SOBEL PEVZNER, LLC
Attorneys for Defendants
CHRISTOPHER J. FALET and NESTLE
WATERS NORTH AMERICA, INC.
30 Vesey Street, 8th Floor
New York, NY 10007
(212) 216-0020
File No.: NES-13664

PROOF OF MAILING

On April 5, 2017, I the undersigned mailed a true copy of the within NOTICE OF REMOVAL, RULE 7.1 STATEMENT and CIVIL COVER PAGE via FIRST CLASS US POSTAL SERVICE MAIL to:

TO: MARK MCBRATNEY, ESQ.
SEIGEL LAW LLC
Attorneys for Plaintiff
505 Goffle Road
Ridgewood, New Jersey 07450
(201) 444-4000

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements by me are willfully false, I am subject to punishment.

Dated: April 5, 2017



MELISSA WELCH